Doc Code: AP.PRE.REQ

PTO/SB/33 (07/05)
Approved for use through xx/xx/200x. OMB 0651-00xx
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): 878.0034.U1(US)

I hereby certify that this corespondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR

on May 26, 2006

Signature Debra Pongetti

Typed or printed name Debra Pongetti

Application Number	Filed
10/617,454	July 10, 2003

First Named Inventor: Anssi Haverinen

Art Unit	Examiner
2181	Patel, Niketa I

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- [ ] applicant/inventor.
- [ ] assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- [x] attorney or agent of record. Registration number 43,423
- [ ] attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Walter J. Malinowski
Signature

Walter J. Malinowski
Typed or printed name

(203) 925-9400
Telephone number

May 26, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- [ ] *Total of _ forms are submitted.

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

APPLICANTS:	Anssi Haverinen		
SERIAL NO.:	10/617,454	FILING DATE:	July 10, 2003
EXAMINER:	Patel, Niketa	ART UNIT:	2182

ATTORNEY'S DOCKET NO.: 878.0034.U1(US)

TITLE: DEVICE IDENTIFICATION

PRE-APPEAL BRIEF REQUEST FOR REVIEW ATTACHMENT

The following is a concise recitation of a clear error in the Examiner's rejections in this application.

1. In the final Office Action of February 28, 2006, the Patent Office rejected claims 1-4 and 6-14 under 35 U.S.C. 103(a) as being unpatentable over Horng, U.S. Patent No. 6,738,788, in view of Dabral, U.S. Patent No. 6,192,431.

Applicant appreciates the Patent Office's indication that claim 5 has allowable subject matter, but believes that all pending claims are allowable over the prior art of record.

The Patent Office asserted (page 5, lines 10-18, of the Final Office Action mailed February 28, 2006; also, lines 1-6 of the Continuation Sheet of the Advisory Action mailed May 5, 2006) "As per the first argument, Horng teaches that the chip identification number are generated in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determining an identity for the device and [see column 4, lines 34-62.] Furthermore, the examiner would like to point out that determining address/ID based on the order of the bits in one or more data word is well known in the computer art, please see pages 622-624 of the "Logic and Computer Design Fundamentals" by M. Morris Mano and Charles R. Kime. Figure 14-3 shows that the order of bits in a word determines the address."

Applicant, as discussed here and below, asserts that Horng does not teach "an identity acquisition unit ... in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors ... determine an

identity for the device ..." **Where in Horng is there reference to the use of the order of receipt of bits of one or more data words? Claims 1-12 recite that "in response to the order in which the bits of one or more data words of a predetermined form are received" the "identity acquisition unit" determines "an identity of the device."** Claims 13 and 14 recite "**in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determining an identity for the device.**" Horng (column 4, lines 21-24) discloses that Lofstrom, U.S. Patent No. 6161213, incorporated by reference by Horng, discloses producing a chip ID by an ID generation circuit. In Lofstrom, the chip ID is determined through measurements, as shown in figure 8, in which the sources of paired FETs 62 are supplied from a positive power supply rail 106 in which switching of the FETs occurs through a common ROW select bit line 60 (column 7, lines 19-54, of Lofstrom). Lofstrom does not appear to disclose or fairly suggest teach "**an identity acquisition unit ... in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors ... determine an identity for the device** ..." or "**in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determining an identity for the device.**"

Applicant requests that the Patent Office point out with particularity where Horng discloses "an identity acquisition unit ... in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors ... determine an identity for the device ..." and other claim limitations.

Applicant has reviewed pages 622-624 of "Logic and Computer and Design Fundamentals," by M. Morris Mano and Charles R. Kime. These pages appear to disclose virtual memory and mapping main memory to cache memory in which cache memory treats a portion of the main memory address as the cache address (page 623, second and third lines of text), but do not appear to disclose "an identity acquisition unit ... in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors ... determine an identity for

the device ..." or other claim limitations.

Dabral does not remedy this deficiency of Horng since Dabral teaches a pinout may be selected (Figure 1a) by biasing a configuration I/O port to either power or ground (column 4, lines 13-26). Thus, Horng, Dabral, and Mano, alone or in combination, do not make obvious claims 1-14.

None of Horng (or Lofstrom), Dabral, and Mano appear to disclose or fairly suggest this claimed subject matter, for the reasons provided above.

See page 7, line 14, through page 8, line 28, of the response to Final Office Action mailed April 11, 2006, for further treatment of base reference Horng.

The Patent Office further asserted (lines 7-9 of the Continuation Sheet of the Advisory Action mailed May 5, 2006; page 5, last four lines, of the Final Office Action mailed February 28, 2006) "Horng teaches wherein the identity acquisition unit is arranged to process the or each data word of a predetermined form in accordance with a look-up table in order to determine the identity for the device [see Horng column 4, lines 34-62, 'database' and column 3, lines 42-49, 'database system']."

Applicant submits that a database is not a lookup table nor is a database system a lookup table. From http://en.wikipedia.org/wiki/Associative_array , "An **associative array** (also known as a map, lookup table, or dictionary and in query-processing as an index or index file) is an abstract data type composed of a collection of keys and a collection of values, where each key is associated with one value. The operation of finding the value associated with a key is called a *lookup* or indexing, and this is the most important operation supported by an associative array. The relationship between a key and its value is sometimes called a mapping or binding. For example, if the value associated with the key `"bob"` is `7`, we say that our array *maps* `"bob"` to `7`. Associative arrays are very closely related to the mathematical concept of a function with a finite domain..."

According to Wikipedia's definition of a database, http://72.14.203.104/search?q=cache:LORcdd1Nj6cJ:en.wikipedia.org/wiki/Database+wikipedia+database&hl=en&gl=us&ct=clnk&cd=1 , "A database is an organized collection of data. The term originated within the computer industry, but its meaning has been broadened by popular use, to the extent that the European Database Directive (which

creates intellectual property rights for databases) includes non-electronic databases within its definition. This article is confined to a more technical use of the term; though even amongst computing professionals, some attach a much wider meaning to the word than others."

Horng does not disclose or fairly suggest a lookup table. The term "key," as referred to by Horng (column 4, lines 34-62) is formed of a typeID and the generated unique ID.

Besides, what do the cited passages of Horng (column 4, lines 34-62, and column 3, lines 42-49) have to do with the claimed subject matter of ""**an identity acquisition unit ... in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors ... determine an identity for the device** ..." or "**in response to the order in which the bits of one or more data words of a predetermined form are received on the data bus connectors during the first mode of operation determining an identity for the device?**"

It is respectfully requested that the Patent Office withdraw the finality of the last Office Action.

Respectfully submitted:

Walter J. Malinowski May 26, 2006

Walter J. Malinowski
Reg. No.: 43,423

Date

Customer No.: 29683

HARRINGTON & SMITH, LLP
4 Research Drive
Shelton, CT 06484-6212

Telephone: (203)925-9400, extension 19
Facsimile: (203)944-0245
email: wmalinowski@hspatent.com